

## CHAPTER 162

## RAILROADS

H. F. 284

AN ACT to repeal section twenty-one hundred twenty-eight (2128) (C. C. 5179), of the code, relating to schedules of rates and fares, and the powers and duties of the board of railroad commissioners with respect thereto, and to enact a substitute therefor.

*Be it enacted by the General Assembly of the State of Iowa:*

1     **SECTION 1. Repeal.** That section twenty-one hundred twenty-  
2     eight (2128) of the code (C. C. 5179), be and the same is hereby re-  
3     pealed and the following enacted in lieu thereof:

1     **SEC. 2. Rate schedules—filing and publication.** Every common car-  
2     rier, subject to the provisions of this chapter, shall file with the board  
3     of railroad commissioners and shall print and keep open to the public  
4     inspection schedules showing the rates, fares, charges, and classifica-  
5     tions for the transportation within this state of persons and property  
6     from each point upon its route to all other points thereon and from  
7     all points upon its route to all points upon every other route leased,  
8     operated or controlled by it; and from each point on its route or  
9     upon any route leased, operated or controlled by it to all points upon  
10    the route of any other common carrier, whenever a through route and  
11    a joint rate shall have been established or ordered between any two  
12    such points. If no joint rate over a through route has been estab-  
13    lished, the schedules of the several carriers in such through route  
14    shall show the separately established rates, fares, charges and clas-  
15    sifications applicable to the through transportation.

1     **SEC. 3. Detailed requirements—accessibility to public.** The sched-  
2     ules printed as aforesaid shall plainly state the places between which  
3     such property and persons will be carried, and shall also state separ-  
4     ately all terminal charges, storage charges, icing charges, and all  
5     other charges which the board of railroad commissioners may require  
6     to be stated, all privileges or facilities granted or allowed, and all  
7     rules or regulations which may in any wise change, affect or deter-  
8     mine any part, or the aggregate of such rates, fares, charges and  
9     classifications, or the value of the various services rendered to the  
10    passenger, shipper or consignee.

11    Subject to such rules and regulations as the board of railroad com-  
12    missioners may prescribe, such schedules shall be plainly printed in  
13    large type and a copy thereof shall be kept by every such carrier  
14    readily accessible to and for inspection by the public in every station  
15    or office of such carrier where passengers or property are respectively  
16    received for transportation when such station or office is in charge  
17    of an agent, and in every station or office of such carrier where pas-  
18    senger tickets or tickets for sleeping, parlor car or other train accom-  
19    modations are sold or bills of lading or waybills or receipts for property  
20    are issued. Any or all of such schedules kept as aforesaid shall be  
21    immediately produced by such carrier for inspection upon the demand  
22    of any person.

1     **SEC. 4. Notice as to schedules.** A notice printed in bold type and  
2     stating that such schedules are on file with the agent and open to in-  
3     spection by any person, and that the agent will assist any person  
4     to determine from such schedules any rates, fares, rules or regula-  
5     tions in force, shall be kept posted by the carrier in two public and  
6     conspicuous places in every such station or office.

1     **SEC. 5. Form of schedules.** The form of every such schedule shall  
2     be prescribed by the board of railroad commissioners and shall con-  
3     form in the case of common carriers subject to an act of Congress  
4     entitled "An Act to Regulate Commerce," approved February 4, 1887,  
5     and the acts amendatory thereof and supplementary thereto, as nearly  
6     as may be to the form of schedule prescribed by the interstate com-  
7     merce commission under said act.

8     When schedules and classifications required by the interstate com-  
9     merce commission contain in whole or in part the information re-  
10    quired by the provisions of this act, the posting, publishing and filing  
11    of a copy or copies of such schedules and classifications required by  
12    the interstate commerce commission shall be deemed in compliance  
13    with the requirements of this act in so far as such schedules and  
14    classifications contain the information required by this act, and any  
15    additional or different information may be posted, published and filed  
16    in a supplementary schedule.

1     **SEC. 6. Partial schedules—when permissible.** Provided, that in  
2     lieu of filing its entire schedule in each station or office, any common  
3     carrier may, subject to the regulations of the board of railroad com-  
4     missioners, file or keep posted at such stations or offices, schedules  
5     of such rates or other charges, classifications, rules and regulations  
6     relating thereto as are applicable at, to and from the places where  
7     such stations or offices are located.

1     **SEC. 7. Changes in schedules.** The board of railroad commission-  
2     ers shall have the power from time to time, in its discretion, to de-  
3     termine and prescribe by order such changes in the form of the  
4     schedules referred to in this act as it may find expedient, and to  
5     modify the requirements of any of its orders, rules or regulations in  
6     respect to any matter in this act referred to.

1     **SEC. 8. Joint tariff schedules.** The names of the several common  
2     carriers which are parties to any joint tariff, rate, toll, contract, clas-  
3     sification or charge shall be specified in the schedule or schedules  
4     showing the same. Unless otherwise ordered by the board of rail-  
5     road commissioners, a schedule showing such joint tariff, rate, fare,  
6     toll, contract, classification or charge need be filed with the board by  
7     only one of the parties; provided, that there is also filed with the  
8     board of railroad commissioners in such form as the board may re-  
9     quire a concurrence in such joint tariff, rate, fare, toll, ~~contract~~, clas-  
10    sification or charge by each of the other parties thereto.

1     **SEC. 9. Contracts affecting rate.** Every common carrier shall file  
2     with the board of railroad commissioners copies of all contracts, agree-  
3     ments or arrangements with other common carriers, in relation to  
4     any service affected by the provisions of this chapter, to which it may  
5     be a party and copies of all other contracts, agreements or arrange-  
6     ments with any other person or corporation affecting in the judgment

7 of the board of railroad commissioners the cost to such common car-  
8 rier of any service.

1 **SEC. 10. Schedules must be filed.** No common carrier shall under-  
2 take to perform any service nor engage or participate in the trans-  
3 portation of persons or property, between points within this state,  
4 until its schedule of rates, fares, charges, and classifications shall  
5 have been filed and published in accordance with the provisions of  
6 this act.

1 **SEC. 11. Change in schedules—notice.** Unless the board of rail-  
2 road commissioners otherwise orders no change shall be made by  
3 any common carrier in any rate, fare, toll, charge or classification  
4 or in any rule, regulation, practice, or contract relating to or affecting  
5 any rate, fare, toll, charge or classification, except after thirty days'  
6 notice to the board of railroad commissioners and to the public as  
7 herein provided.

8 Such notice shall be given by filing with the board of railroad com-  
9 missioners and keeping open for public inspection new schedules or  
10 supplements stating plainly the change or changes to be made in the  
11 schedule or schedules then in effect, and the time when the change or  
12 changes will go into effect.

13 The board of railroad commissioners, for good cause shown, may  
14 allow changes without requiring the thirty days' notice herein pro-  
15 vided for, by an order specifying the changes so to be made and the  
16 time when they shall take effect, and the manner in which they shall  
17 be filed and published.

18 When any change is proposed in any rate, fare, toll, charge or  
19 classification or in any rule, regulation, practice or contract relating  
20 to or affecting any rate, fare, toll, charge or classification, such pro-  
21 posed change shall be plainly indicated on the new schedule filed with  
22 the board of railroad commissioners by some character immediately  
23 preceding or following the item.

1 **SEC. 12. Schedule charge mandatory—refunds.** No common car-  
2 rier, except as in this chapter otherwise provided, shall charge, de-  
3 mand, collect or receive a greater or less or different compensation for  
4 the transportation of persons or property or for any service in con-  
5 nection therewith than the rates, fares, and charges applicable to  
6 such transportation as specified in its schedules filed and in effect at  
7 the time; nor shall any such carrier refund or remit in any manner  
8 or by any device any portion of the rates, fares or charges so specified  
9 except upon order of the courts or of the board of railroad commis-  
10 sioners as may be now or hereafter by law provided, nor extend to  
11 any shipper or person any privilege or facility in the transportation  
12 of passengers or property except such as are specified in such sched-  
13 ules.

1 **SEC. 13. Hearing as to rate—suspension.** Whenever there shall  
2 be filed with the board of railroad commissioners any schedule, stat-  
3 ing an individual or joint rate, fare, toll, charge, classification, con-  
4 tract, practice, rule or regulation, the board of railroad commis-  
5 sioners shall have power and it is hereby given authority, either upon  
6 complaint or upon its own motion without complaint, at once, and if  
7 it so orders, without answer or formal pleadings, by the interested  
8 common carrier or carriers, but upon reasonable notice, to enter upon

9 a hearing concerning the propriety of such rate, fare, toll, charge,  
10 classification, contract, practice, rule or regulation and pending the  
11 hearing and the decision thereon, such rate, fare, toll, charge, clas-  
12 sification, contract, practice, rule or regulation shall not go into effect;  
13 provided, that the period of suspension of such rate, fare, toll, charge,  
14 classification, contract, practice, rule or regulation shall not extend  
15 more than one hundred twenty (120) days beyond the time when  
16 such rate, fare, toll, charge, classification, contract, practice, rule or  
17 regulation would otherwise go into effect unless the board, in its  
18 discretion extends the period of suspension for a further period of  
19 not exceeding thirty (30) days.

1 SEC. 14. Commissioners to fix rate—when rates effective. On such  
2 hearing the board of railroad commissioners shall establish the rates,  
3 fares, tolls, charges, classifications, contracts, practices, rules or regu-  
4 lations proposed, in whole or in part, or others in lieu thereof which  
5 it shall find to be just and reasonable.

6 All such rates, fares, tolls, charges, classifications, contracts, prac-  
7 tices, rules or regulations not so suspended shall, on the expiration  
8 of thirty (30) days from the time of filing the same with the board  
9 of railroad commissioners or of such less time as the said board may  
10 grant, go into effect and be the established and effective rates, fares,  
11 tolls, charges, classifications, contracts, practices, rules and regula-  
12 tions, subject to the power of the board of railroad commissioners,  
13 after a hearing had upon its own motion or upon complaint, as herein  
14 provided, to alter or modify the same. After such changes have been  
15 authorized by the board of railroad commissioners, copies of the new  
16 or revised schedules shall be posted or filed as provided in this act,  
17 within such reasonable time as may be fixed by the board of railroad  
18 commissioners.

Approved March 27, A. D. 1923.

## CHAPTER 163

### UNLAWFUL TRADE PRACTICES

S. F. 669

AN ACT authorizing the governor and attorney general to act as a committee to protect the interests of the state of Iowa and of the people thereof against a trade practice known as "Pittsburgh Plus" and other similar trade practices, and making an appropriation therefor.

*Be it enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. "Pittsburgh Plus." There is hereby created a commit-  
2 tee consisting of the governor and attorney general, which committee  
3 shall have full power and authority to protect and shall be charged  
4 with the duty of protecting the state of Iowa and the people thereof  
5 against the steel trade practice commonly known as "Pittsburgh  
6 Plus" and other similar trade practices, and said committee is hereby  
7 authorized to use all lawful means for the accomplishment of said  
8 purposes.